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# **Committee on Environmental Regulation**

## **Action Packet**

**Wednesday, March 8, 2006**

**1:00 – 3:00 PM**

**212 Knott**

**Allan G. Bense  
Speaker**

**Mitch Needelman  
Chair**

# **Committee Meeting Notice**

## **HOUSE OF REPRESENTATIVES**

**Speaker Allan G. Bense**

### **Environmental Regulation Committee**

**Start Date and Time:** Wednesday, March 08, 2006 01:00 pm

**End Date and Time:** Wednesday, March 08, 2006 03:00 pm

**Location:** 212 Knott Building

**Duration:** 2.00 hrs

#### **Consideration of the following bill(s):**

HB 693 Florida Springs Protection Act by Stansel

Discussion of PCBs

**NOTICE FINALIZED on 03/06/2006 16:18 by Deslatte.Jennifer**

**COMMITTEE MEETING REPORT**  
**Environmental Regulation Committee**

**3/8/2006 1:00:00PM**

**Location:** 212 Knott Building

**Attendance:**

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Mitch Needelman (Chair)	X		
Bob Allen	X		
Don Davis	X		
Will Kendrick	X		
Frank Peterman	X		
David Russell	X		
Franklin Sands	X		
<b>Totals:</b>	<b>7</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Wednesday, March 08, 2006 1:49:31PM

**COMMITTEE MEETING REPORT**  
**Environmental Regulation Committee**

**3/8/2006 1:00:00PM**

**Location:** 212 Knott Building

**HB 693 : Florida Springs Protection Act**

☒ *Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Bob Allen	X				
Don Davis	X				
Will Kendrick	X				
Frank Peterman	X				
David Russell	X				
Franklin Sands	X				
Mitch Needelman (Chair)	X				
<b>Total Yeas: 7</b>		<b>Total Nays: 0</b>			

**HB 693 Amendments**

**Amendment Strike All**

☒ Adopted

**Appearances:**

David Gluckman (Lobbyist) - Proponent  
Florida Wildlife Federation  
541 Old Magnolia Drive  
Tallahassee Florida 32327  
Phone: 421-0152

Committee meeting was reported out: Wednesday, March 08, 2006 1:49:31PM

**COMMITTEE MEETING REPORT**  
**Environmental Regulation Committee**

**3/8/2006 1:00:00PM**

**Location:** 212 Knott Building

**Summary:**

**Environmental Regulation Committee**

*Wednesday March 08, 2006 01:00 pm*

HB 693 Favorable With Committee Substitute

Yeas: 7 Nays: 0

Amendment Strike All Adopted

**Committee meeting was reported out: Wednesday, March 08, 2006 1:49:31PM**

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 693

COUNCIL/COMMITTEE ACTION

ADOPTED ☒ (Y/N) *voice vote*  
ADOPTED AS AMENDED ☐ (Y/N)  
ADOPTED W/O OBJECTION ☐ (Y/N)  
FAILED TO ADOPT ☐ (Y/N)  
WITHDRAWN ☐ (Y/N)  
OTHER ☐

Council/Committee hearing bill: Environmental Regulation  
Committee

Representative Stansel offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Part IV of chapter 369, Florida Statutes,  
consisting of sections 369.401, 369.403, and 369.405, is created  
to read:

PART IV

SPRINGS PROTECTION

369.401 Short title.--This part may be cited as the  
"Florida Springs Protection Act."

369.403 Legislative findings and intent.--

(1) The Legislature finds that in general Florida springs  
whether found in urban or rural settings, public parks, or private  
lands, are threatened by actual and potential flow reductions and  
declining water quality. As a result of climate patterns and  
population changes over the past 30 years, many of Florida's  
springs have begun to exhibit signs of distress, including  
increasing nutrient loading and lowered discharge. The groundwater

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that feeds springs is recharged by seepage from the surface and surface runoff and through direct conduits such as sinkholes

(2) The Legislature further finds that springs and groundwater once damaged by overuse can be restored through good stewardship, including effective planning strategies and best management practices to preserve and protect the springs. Land use planning decisions can protect and improve spring water quality and quantity, as well as upland resources. Managing land use types and their allowable densities and intensities of development, followed by specific site planning to further minimize impacts, rank as an important goal.

(3) The Legislature further finds that development in Florida will add to the pressure already affecting the surface and ground water resources within each area that contributes to spring flow.

(4) The Legislature further finds there exists a need to provide for land use decisions that recognize protected property rights and ensure the long-term viability of the springs in Florida.

(5) The Legislature further finds that cooperative coordinated efforts, such as the Suwannee River Partnership and the Wekiva River Basin Coordinating Committee, implemented by state and regional agencies, local governments and affected interests can best develop the mechanisms to protect Florida's springs. It is therefore the intent of the Legislature to create the Florida Springs Commission for the purpose of identifying protection, restoration, and preservation strategies for Florida springs.

369.405 Florida Springs Commission.--

(1)(a) The Florida Springs Commission is hereby created and shall include:

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53        1. The Commissioner of Agriculture, the secretaries of the  
54 Department of Community Affairs, the Department of Environmental  
55 Protection, the Department of Transportation, and the Department  
56 of Health, the executive director of the Fish and Wildlife  
57 Conservation Commission, a representative from a water management  
58 district governing board, a representative from a regional  
59 planning council, a representative from the Florida Chamber of  
60 Commerce, a representative from the Florida Association of  
61 Community Developers, a representative from the American Water  
62 Works Association, and a representative from the Florida Home  
63 Builders Association.

64        2. Three members appointed by the Governor consisting of:

65        a. A member of an environmental organization.

66        b. A property owner interested in spring protection.

67        c. A member from the business community.

68        3. Three members appointed by the President of the Senate  
69 consisting of:

70        a. A member of the Senate.

71        b. A locally elected county or municipal official.

72        c. A member of a conservation organization.

73        4. Three members appointed by the Speaker of the House of  
74 Representatives consisting of:

75        a. A member of the House of Representatives.

76        b. A locally elected county or municipal officer.

77        c. A member of the agricultural community.

78        (b) The secretary of the Department of Environmental  
79 Protection shall serve as chair of the commission.

80        (c) Members of the commission shall serve without  
81 compensation, but shall be reimbursed for per diem and travel  
82 expenses in accordance with s. 112.061.



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83       (d) The state and regional governmental commission members  
84 may designate to represent their entity a senior staff person, who  
85 shall have full voting authority.

86       (e) The commission may appoint technical subcommittees as  
87 needed to assist in the completion of the work of the commission,  
88 and such technical subcommittees may include qualified persons not  
89 on the commission.

90       (f) All state agencies are directed, and all other  
91 agencies and local governments are requested, to render  
92 assistance to and cooperate with the commission.

93       (2) The commission shall perform an assessment of the  
94 existing conditions of all first and second magnitude springs.  
95 To assist the commission, the Department of Environmental  
96 Protection shall work with the water management districts to  
97 identify and map all first and second magnitude springs within  
98 each district. The department and districts shall cooperatively  
99 perform an assessment and create a uniform geographic  
100 information system standard for collecting and reporting springs  
101 data. The assessment for each spring shall include, at a  
102 minimum, the following information:

103       (a) Current land owner.

104       (b) Latitude and longitude.

105       (c) Water quality, water quantity, and water use.

106       (d) Wetlands.

107       (e) Geology and soils.

108       (f) Vegetation.

109       (g) Floodplain area.

110       (h) Infrastructure.

111       (i) Fish and wildlife.

112       (j) Cultural resources and archaeology.

113       (k) Public access and use.

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(l) Land use.

(m) Hazardous materials.

(n) Public health and safety.

(o) Aesthetics and scenic resources.

(p) Socioeconomics.

(3) The commission shall evaluate and recommend strategies for protecting and ensuring the long-term viability of the state's springs. In conducting this evaluation and developing its recommendations, the commission shall consider:

(a) The protection of property rights.

(b) The effectiveness and application of current land use strategies.

(c) The development and application of innovative land use planning strategies.

(d) The effectiveness and sufficiency of existing regulations.

(e) The use of regional partnerships, best management practices, and other incentive-based nonregulatory programs.

(4) It is recognized that many springs protection policies and programs have been developed or implemented through ongoing efforts and that an evaluation of these policies and programs can serve as a baseline and will greatly assist the commission in the development of its recommendations. Therefore, in conducting its evaluation and developing recommendations, the commission shall consider relevant studies, springs protection initiatives, and other information currently available for springs protection including:

(a) The Suwannee River Partnership.

(b) The Wekiva Basin Area Task Force.

(c) The Wekiva River Basin Coordinating Committee.

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144       (d) The Florida Springs Initiative in the Department of  
145 Environmental Protection.

146       (e) The Florida Springs Task Force.

147       (f) The use of basin management action plans developed by  
148 the Department of Environmental Protection pursuant to the  
149 implementation of the total maximum daily load program.

150       (5) The commission shall develop an overall model springs  
151 protection plan which applies its recommended strategies developed  
152 pursuant to subsections (3) and (4). The model plan shall contain  
153 components that can be used by state agencies, local governments,  
154 and citizens for more detailed individual springs protection  
155 plans. Each plan shall provide a 5-year strategy for the use and  
156 management of the springs based on information from the  
157 assessment. The model plan shall include, at a minimum, the  
158 following components:

159       (a) Analysis of environmental conditions

160       (b) Analysis of present use patterns.

161       (c) Analysis of ability of the spring to support increased  
162 public use.

163       (d) Discussion of the economic potential of spring use by  
164 the public.

165       (e) Discussion of actions needed to promote increased public  
166 use.

167       (f) Discussion of infrastructure requirements.

168       (g) Discussion of personnel requirements

169       (h) Discussion of security needs

170       (i) Discussion of limits on spring use to avoid permanent  
171 detrimental impacts to the spring

172       (j) Discussion of strategy for leveraging resources for  
173 springs protection.

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(k) Discussion of a long-term management partnership among the state, regional, and local governments and citizens within the area.

(6) The commission may develop and recommend other appropriate measures necessary to achieve springs protection.

(7) In developing its recommendations, the commission shall receive and consider public comment and shall otherwise maximize public participation from all affected parties.

(8) The commission shall expire July 1, 2010.

Section 2. This act shall take effect July 1, 2006.

===== T I T L E A M E N D M E N T =====

Remove the entire title and insert:

A bill to be entitled

An act relating to the Florida Springs Protection Act; creating pt. IV of ch. 369, F.S.; relating to springs protection; creating s. 369.401, F.S.; providing a short title; creating s. 369.403, F.S.; providing legislative intent; creating s. 369.405, F.S.; creating the Florida Springs Commission; providing for membership and the appointment of certain members by the Governor and the Legislature; providing for certain compensation for commission members; authorizing appointment of technical subcommittees; directing state agencies and requesting local governments to provide assistance to the commission; requiring the Department of Environmental Protection and water management districts to identify and assess certain springs; providing requirements for such assessments; requiring the commission to perform certain assessments and recommend strategies for protecting and ensuring the long-term viability of the state's springs; providing

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205 requirements and procedures therefor; requiring a model  
206 springs protection plan; providing a dissolution date for  
207 the commission; providing an effective date.